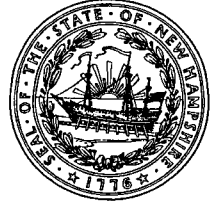




State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-2147 FAX (603) 271-6588



**LETTER OF DEFICIENCY  
WET 2005-035**

October 10, 2005

Russell Greer  
Northern Escape Cabins, LLC  
758 NH Route 145  
Clarksville, NH 03592

RE: DES Wetlands File #2005-02052 Route 145, Clarksville

Dear Mr: Greer:

On September 1, 2005, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above-referenced property, more specifically referenced on Town of Clarksville Tax Map R11 as Lot 5 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-800.

During the inspection, the following deficiencies were documented:

1. Approximately 4,500 square feet of forested wetland had been ditched; and
2. Approximately 87,000 square feet of forested wetland had been stumped.

DES records indicate that a permit had not been issued for the above work.

In response, you are requested to take the following actions:

1. By December 15, 2005, submit a restoration plan to DES for review and approval, prepared by a certified wetland scientist. The restoration plan shall include provisions for stabilizing and restoring the wetland. Submit the following with the restoration plan:

- a. A plan with dimensions, drawn to scale, showing:
  1. Existing conditions, with wetland boundaries; and
  2. Proposed conditions after re-establishing jurisdictional areas;
- b. A detailed description of the proposed means of erosion control (silt fence, hay bales, *etc.*) to be installed prior to the start of restoration activities;
- c. A detailed description of the type and quantity of wetland seed mix and a proposed planting plan for the re-vegetation of the restoration area; and
- d. A description of the proposed construction sequence and methods for accomplishing restoration and anticipated restoration compliance date.

2. Implement the restoration plan only after receiving written approval and as conditioned by DES.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Linda Magoon  
Wetlands Bureau  
Department of Environmental Services  
29 Hazen Drive  
PO Box 95  
Concord, NH 03302-0095

Should you have any questions regarding this letter, please contact Linda Magoon at (603) 271-4056 or by e-mail at [lmagoon@des.state.nh.us](mailto:lmagoon@des.state.nh.us).

Sincerely,



Collis G. Adams, CWS  
Administrator  
Wetlands Bureau

CERTIFIED MAIL 7004 0750 0001 2419 2912

cc: Rene Pelletier, Manager, Land Resources Management Program  
Gretchen R. Hamel, Administrator, DES Legal Unit  
Clarksville Conservation Commission  
Clarksville Board of Selectmen  
Ray Lobdell, Lobdell Associates, Inc.  
USACOE